

NOV 24 2004

**OFFICIAL**

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Date: NOVEMBER 24, 2004

To: EXAMINER JOSHUA A. KADING  
U.S. PATENT AND TRADEMARK OFFICE

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From: DARRIN WESLEY HARRIS  
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Client/Matter No.: DE 000079 (7790/387)

# of Pages: 11

(including cover sheet)

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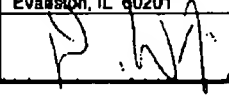
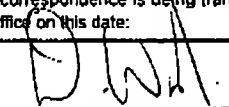
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Attorney Docket No.	DE 000079 (1790/387)
	Application Number	09/855,577
	Filing Date	MAY 15, 2001
	First Named Inventor	CHRISTOPH HERMANN
	Group Art Unit	2881
	Examiner	KADING, JOSHUA A.

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Response to Non Final Office Action Dated August 24, 2004 <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Status Letter <input type="checkbox"/> Petition for Extension of Time Request (duplic) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement, PTO-1449, art <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawings: <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Petition Routing Slip (PTO/SB/68) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Post Card Receipt <input type="checkbox"/> Additional Enclosure(s) (please identify below): <input type="checkbox"/> Abstract <input type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. <u>50-1713</u> . A duplicate copy of this sheet is enclosed.		
<input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. <u>50-1713</u> . A duplicate copy of this sheet is enclosed.		

## CALCULATION OF FEE

				Small Entity		or	Large Entity	
	Claims After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		0	x \$0=	0	x \$18=	
Indep.		Minus		0	x \$44	0	x \$68	
First Presentation of Multiple Dep. Claim					+ \$150	—	+ \$300=	
					total add'l fee	\$ 0	total add'l fee	\$

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	DARRIN WESLEY HARRIS Registration No. 40,636 CARDINAL LAW GROUP 1803 Orrington Avenue, Suite 2000 Evanston, IL 60201		
Signature		Date	November 24, 2004
CERTIFICATE OF FACSIMILE			
I hereby certify that this correspondence is being transmitted by facsimile to (703) 872-9314 to the United States Patent and Trademark Office on this date: <u>November 24, 2004</u>			
Signature			Date: <u>November 24, 2004</u>
DARRIN WESLEY HARRIS (40.636)			

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Name of applicant, assigned or registered representative

[Signature]  
Signature

November 24, 2004  
Date of Signature

PATENT  
Case No. **DE 000079**  
(7790/387)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

CHRISTOPH HERMANN

Serial No.: 09/855,577

Filed: MAY 15, 2001

For: WIRELESS NETWORK WITH  
CAPACITY MEASUREMENT

Examiner: KADING, J.A.

Group Art Unit: 2661

**RESPONSE TO NON-FINAL OFFICE ACTION DATED AUGUST 24, 2004**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Non-Final Office action of August 24, 2004, please amend  
the above referenced application as follows and reconsider the application in light of  
the following remarks.